

Robert S. Westermann (VSB No. 43294)
Brittany B. Falabella (VSB No. 80131)
Kollin G. Bender (VSB No. 98912)
HIRSCHLER FLEISCHER, P.C.
The Edgeworth Building
2100 East Cary Street
Post Office Box 500
Richmond, Virginia 23218-0500
Telephone: 804.771.9500
Facsimile: 804.644.0957
E-mail: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com
kbender@hirschlerlaw.com

David I. Swan (VSB No. 75632)
Allison P. Klena (VSB No. 96400)
HIRSCHLER FLEISCHER, P.C.
1676 International Drive, Suite 1350
Tysons, Virginia 22102
Telephone: 703.584.8900
Facsimile: 703.584.8901
E-mail: dswan@hirschlerlaw.com
aklena@hirschlerlaw.com

*Counsel for Richard Arrowsmith, Liquidating
Trustee of the HDL Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

**HEALTH DIAGNOSTIC LABORATORY,
INC., *et al.*,**

Debtors.¹

Chapter 11

Case No.: 15-32919-KRH

Jointly Administered

**PROPOSED AGENDA FOR HEARINGS SCHEDULED FOR
OCTOBER 29, 2024 AT 11:00 A.M. (PREVAILING EASTERN TIME)**

I. STATUS UPDATES

1. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. LaTonya S. Mallory, *et al.*, Adversary Proceeding Case No. 16-03271 (the “**D&O Action**”) and related matters

2. In re Blue Eagle Farming, LLC, *et al.*, Case No. 18-02395-TOM11 (Bankr. N.D. Ala.) (the “**Johnson Bankruptcy Proceeding**”) and related matters

¹ The Debtors in the Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Health Diagnostic Laboratory, Inc. (0119), Central Medical Laboratory, LLC (2728), and Integrated Health Leaders, LLC (2434).

II. MATTER GOING FORWARD IN LEAD CASE

3. In re Health Diagnostic Laboratory, Inc., Case No. 15-32919-KRH – Motion to Extend the Term of the HDL Liquidating Trust [Docket Item No. 5926] and Notice thereof [Docket Item No. 5927]

Related Documents:

(a) Certificate of Service [Docket No. 5929]

Response:

None.

Status:

The response deadline expired with no objections being filed or received, and on October 25, 2024 a proposed order granting the requested relief was submitted to the Court for consideration. This matter is going forward.

III. ADJOURNED GARNISHMENTS

4. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Health Partnership of Columbus, P.C., , *et al.* - Adversary Proceeding Case No. 17-04031

4.1 Garnishment Summons re: Judgment against Health Partnership of Columbus, P.C. [Docket Item No. 37] (the “**Health Partnership Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to JPMorgan Chase Bank, National Association [Docket Item No. 36]

(b) Order Granting Default Judgment [Docket Item No. 13]

(c) Writ of Execution [Docket Item No. 38]

Response:

An Answer has not yet been received from Chase bank.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing on November 26, 2024 at 1:30 p.m. to allow time for Chase Bank to file an Answer.

4.2 Garnishment Summons re: Judgment against Teresa Hopkins [Docket Item No. 40]
(the “**Hopkins Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to JPMorgan Chase Bank, National Association [Docket Item No. 39]

(b) Order Granting Default Judgment [Docket Item No. 13]

(c) Writ of Execution [Docket Item No. 41]

Response:

An Answer has not yet been received from Chase bank.

Status:

The Liquidating Trustee requests that this matter be adjourned to the Omnibus Hearing on November 26, 2024 at 1:30 p.m. to allow time for Chase Bank to file an Answer.

IV. GARNISHMENT TO BE DISMISSED

5. Richard Arrowsmith as Liquidating Trustee of the HDL Liquidating Trust v. Uchenna Christopher Ogbuokiri - Adversary Proceeding Case No. 17-03762

5.1 Garnishment Summons re: Judgment against Uchenna Christopher Ogbuokiri [Docket Item No. 40] (the “**Ogbuokiri Garnishment**”)

Related Documents:

(a) Suggestion for Summons in Garnishment to Together Credit Union [Docket No. 39]

(b) Order Granting Default Judgment [Docket No. 13]

(c) Writ of Execution [Docket No. 41]

(d) Certificate of Service [Docket No. 43]

Response:

The Liquidating Trustee has been advised by Together Credit Union that no accounts exist.

Status:

The Liquidating Trustee requests that this garnishment be dismissed.

V. ADJOURNED MATTER IN LEAD CASE

6. Tenth Omnibus Objection to Certain (A) 502(d), (B) No Liability Claims, and (C) Unsupported Claim [Docket No. 5097] (the “**Tenth Omnibus Objection**”)

Related Documents:

(a) Notice of Motion and Hearing [Docket No. 5098]

Response Deadline: April 27, 2021 at 4:00 p.m. (Prevailing Eastern Time).

Status:

The Tenth Omnibus Objection was partially granted in accordance with the Order Sustaining Tenth Omnibus Objection as to the No Liability Claims [Docket No. 5180] and the Order Sustaining Tenth Omnibus Objection as to the Unsupported Claim [Docket No. 5197]. The Liquidating Trustee requests that the hearing as to the 502(d) Claims be adjourned to the Omnibus Hearing scheduled for November 26, 2024 at 1:30 p.m. (Prevailing Eastern Time).

Dated: October 25, 2024

Respectfully submitted,

/s/ Robert S. Westermann

Robert S. Westermann (VSB No. 43294)

Brittany B. Falabella (VSB No. 80131)

Kollin G. Bender (VSB No. 98912)

HIRSCHLER FLEISCHER, P.C.

The Edgeworth Building

2100 East Cary Street

Post Office Box 500

Richmond, Virginia 23218-0500

Telephone: 804.771.9515

Facsimile: 804.644.0957

E-mail: rwestermann@hirschlerlaw.com

bfalabella@hirschlerlaw.com

kbender@hirschlerlaw.com

David I. Swan (VSB No. 75632)
Allison P. Klena (VSB No. 96400)
HIRSCHLER FLEISCHER, P.C.
1676 International Drive, Suite 1350
Tysons, Virginia 22102
Telephone: 703.584.8900
Facsimile: 703.584.8901
E-mail: dswan@hirschlerlaw.com
aklena@hirschlerlaw.com

*Counsel for Richard Arrowsmith,
Liquidating Trustee of the HDL Liquidating Trust*